

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROQUETTE FRÈRES,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 06-540 (***)
)	
SPI PHARMA, INC. and DRYTEC LTD.,)	
)	
Defendants.)	

NOTICE OF DEPOSITION OF SPI PHARMA, INC.

PLEASE TAKE NOTICE that Plaintiff Roquette Frères will take the testimony of SPI PHARMA, INC., pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, by deposition upon oral examination at the offices of MORRIS, NICHOLS, ARSHT & TUNNELL LLP, 1201 N. Market Street, Wilmington, DE 19899, on June 26, 2007 commencing at 10:30 a.m. SPI Pharma, Inc. shall designate one or more officers, directors, managing agents or other persons to testify on its behalf with respect to the topics set forth in the attached Schedule A.

The deposition will be recorded stenographically and/or by videotape by a certified court reporter.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Julia Heaney (#3052)

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May 23, 2007
839336

NOTICE OF DEPOSITION OF SPI Pharma, Inc.

Schedule A

1. The composition of Mannogem EZ spray-dried mannitol and any other SPI-produced or marketed mannitol that is produced by spray-drying, including atomization.

2. The chemical and physical properties of Mannogem EZ spray-dried mannitol and any other SPI-produced or marketed mannitol that is produced by-spray drying, including atomization.

3. The manufacture of Mannogem EZ spray-dried mannitol and any other SPI-produced or marketed mannitol that is produced by spray-drying, including atomization.

4. SPI Pharma Inc.'s sale and marketing of spray-dried mannitol in the United States.

5. SPI Pharma Inc.'s import of spray-dried mannitol into the United States.

6. SPI Pharma Inc.'s offer for sale in the United States of Mannogem EZ spray-dried mannitol and any other SPI-produced or marketed mannitol that is produced by spray-drying, including atomization.

7. SPI Pharma Inc.'s purchase of spray-dried mannitol from any third-party source.

8. SPI Pharma Inc.'s tolling and manufacturing agreements with third-parties related to spray-dried mannitol.

9. SPI Pharma Inc.'s manufacturing activities, including but not limited to plant capabilities, capacities, productivities, operations and locations for manufacture of spray-dried mannitol by SPI Pharma Inc.

10. SPI Pharma Inc.'s review and assessment of U.S. Patent No. 5,573,777.

11. SPI Pharma Inc.'s contacts and communications with Roquette.

12. SPI Pharma Inc.'s profitability for sales of each of its spray-dried mannitol products.

13. SPI Pharma Inc.'s contracts and other agreements for the sale or distribution in the United States of spray-dried mannitol in the United States.

14. Identification of persons with knowledge of any of the above topics and documents relating to any of the above topics.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on May 23, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

John W. Shaw
YOUNG, CONAWAY, STARGATT & TAYLOR
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19899-0391

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on May 23, 2007 upon the following individuals in the manner indicated:

BY E-MAIL

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